

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KENNETH B. GIBBS,

Plaintiff,

v.

A. HERRERA, et al.,

Defendants.

No. 2:21-cv-2188 TLN AC P

ORDER

Due to an administrative error, plaintiff's payment of the filing fee was not docketed at the time of payment and the case was thereafter dismissed on the basis of non-payment. See ECF Nos. 17, 19, 20. Plaintiff appealed the dismissal, and the Court of Appeals for the Ninth Circuit vacated the judgment and remanded the case. ECF No. 24.

Accordingly, in the interests of justice, IT IS HEREBY ORDERED that the Clerk of Court shall RETURN to plaintiff the \$505.00 appellate filing fee that he paid on January 27, 2023.

The complaint will be screened pursuant to statute after the Ninth Circuit issues its mandate.

DATED: September 27, 2023


ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE